



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

February 9, 2005

ORIGINAL



SDMS DocID

2209967

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David Herron
MARVA Limited, Partnership
Aviation Resources
PO Box 9571
Albuquerque, NM 87119

Dear Mr. Herron:

The U.S. Environmental Protection Agency (EPA) seeks access to your property at 183 Zeitler Road in Elkton, Cecil County, Maryland, to address the actual and threatened release of hazardous substances and/or pollutants or contaminants at and from your property.

EPA's authority to enter property is set forth in section 104(e) of CERCLA, 42 U.S.C. § 9604(e). In accordance with this statute, EPA may enter property to, among other things, "determine the need for response or the appropriate response or to effectuate a response action." This authority may be exercised where EPA has a "reasonable basis to believe there may be a release or threat of release of a hazardous substance or pollutant or contaminant." In this case, EPA has information indicating that an approximately 32-acre portion of the property is contaminated with munitions debris and explosive compounds, namely trinitrotoluene (TNT).

Please signify your consent to permit EPA, the State of Maryland and their employees, agents, contractors, and authorized representatives to enter your property to perform the above-described activities by signing the enclosure and returning this letter to me. By signing the enclosure, you are representing to EPA that you have the authority to permit entry to the above-described property for the purposes described in this letter.

If you have any questions concerning this letter, please contact me at (215) 814-3355 (email: baker.lorie@epa.gov) or Charles Fitzsimmons at 410-305-3027 (email: fitzsimmons.charlie@epa.gov).

Sincerely,

Lorie Baker
Site Assessment Manager

Enclosure

cc: Benjamin Cohan (EPA, ORC)
Charles Fitzsimmons (EPA, OSC)
Alex Cox (MDE)